

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

JEROME YEARBY,

Plaintiff,

v.

COMMISSIONER, SSA,

Defendant.

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CIVIL ACTION NO. 6:21-CV-00503-
JDK

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff filed the above-styled and numbered civil action pursuant to the Social Security Act, Section 205(g), for judicial review of the Commissioner's denial of his application for Social Security benefits. The cause of action was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation recommending that the decision of the Commissioner be reversed and remanded to the Commissioner. Docket No. 11. No timely objections were filed to the Report and Recommendation.


Because objections to Judge Love's Report have not been filed, Plaintiff is barred from de novo review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), cert. denied, 492 U.S. 918, 109 S.Ct. 3243 (1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.").

Accordingly, it is hereby **ORDERED** that the Magistrate Judge's Report (Docket No. 11) is **ADOPTED**. The decision of the Commissioner is **REVERSED** and **REMANDED**.

Signed this

Sep 29, 2022


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE